

**December 7, 2015**

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman ó Mark Doland; Vice chairman ó Henry VanWeelden; Member ó Mike Vander Molen. Also present were Ken Allsup, Oskey News; Jason Madison, Eduardo Zamarripa, CRI; Angie Holland, Oskey Herald; Emory Songer, KBOE; Joe Durian, Fred Bridges, Ted Smith, Veterans Affairs; Lysle Chilcote, Joe S. Crookham, Jerry Blanchard, Dave Shanahan, County Engineer; Jamey Robinson, EMA Director; Mark Willett, Beth Danowsky, Linda Crookham Hansen; Andrew Jensen; Mike Schrock; Mary Richards, Myron Gordon, Scott Shaw, Kathy Shaw, Steve Wanders; Alven Meppelink; and Susan Brown, Mahaska County Auditor.

This meeting was filmed by Communications Research Institute of William Penn University.

Chairman Doland opened the meeting at 9:00 a.m. with a moment of silence.

It was moved by Vander Molen seconded by VanWeelden to approve the agenda for today's meeting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to open public hearing regarding road vacations on West St in Town of Lakonta and Alley in Town of Wright. All present voted aye. Motion carried.

There were no comments received from the public. It was moved by Vander Molen seconded by VanWeelden to close public hearing. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve the following resolutions. All present voted aye. Motion carried.

**Resolution #2015-12-43**  
Final Order on Road Vacation  
Code 306.16

WHEREAS, A hearing was held on December 7<sup>th</sup> 2015 on the matter of vacating and closure of a portion of Mahaska County Secondary Roads described as follows:  
West Street in the Town of Lakonta (Truax) in Section 20, Township 74 North, Range 16 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa described as follows: West Street between Block 6, Lots 5, 6 and 7 and Block 2, Lots 17, 18 and 19. The vacated alley shall be conveyed to Eric & Harmony Edge, the adjoining property owners.

WHEREAS: All objections and/or comments received at the December 7<sup>th</sup>, 2015 public hearing were dealt with by the Board of Supervisors.

AND WHEREAS: Said part of present right-of-way of the closed roads are no longer necessary or required for use by the public for highway purposes and will not hereafter be required for construction or maintenance purposes for any highway;

NOW THEREFORE BE IT RESOLVED by Mahaska County that said part of present right-of-way herein described, together with any and all right of Mahaska County in and to the same are hereby abandoned, and Mahaska County hereby disclaims any right, title or interest in and to said part of present right-of-way or to use thereof for any purposes whatsoever.

It was moved by Vander Molen seconded by VanWeelden to deny any and all claims filed on any of the road closing acted on in this meeting, motion carried. Signed this 7<sup>th</sup> day of December, 2015.

**Resolution #2015-12-44**  
Final Order on Road Vacation  
Code 306.16

WHEREAS, A hearing was held on December 7<sup>th</sup> 2015 on the matter of vacating and closure of a portion of Mahaska County Secondary Roads described as follows:

Alley in the subdivision of the SW ¼ of the SW ¼ of Section 31, Township 75 North, Range 14, West of the 5<sup>th</sup> P.M. Mahaska County, Iowa described as follows: The alley between lots 5 and 6 according to the plat recorded in Book 1, Page 462 of the Records of Mahaska County, Iowa The vacated alley shall be conveyed to Jeffery D. Long, the adjoining property owner.

WHEREAS: All objections and/or comments received at the December 7<sup>th</sup>, 2015 public hearing were dealt with by the Board of Supervisors.

AND WHEREAS: Said part of present right-of-way of the closed roads are no longer necessary or required for use by the public for highway purposes and will not hereafter be required for construction or maintenance purposes for any highway;

NOW THEREFORE BE IT RESOLVED by Mahaska County that said part of present right-of-way herein described, together with any and all right of Mahaska County in and to the same are hereby abandoned, and Mahaska County hereby disclaims any right, title or interest in and to said part of present right-of-way or to use thereof for any purposes whatsoever.

It was moved by Vander Molen seconded by VanWeelden to deny any and all claims filed on any of the road closing acted on in this meeting, motion carried. Signed this 7<sup>th</sup> day of December, 2015.

It was moved by VanWeelden seconded by Vander Molen to approve minutes of November 16<sup>th</sup> meeting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to approve November bills totaling \$662,222.63. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve 5,197 homestead tax credits claims (including 12 disabled veterans homestead claims) and 991 military claims for tax credit along with 5,123 family farm applications and 11,361 agricultural land applications for fiscal year taxes payable 2016-2017. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to open public hearing on road reclassification to level C road service on part of Resolve Ave and part of 300<sup>th</sup> St. All present voted aye. Motion carried.

Mary Richards and Myron Gordon asked about gate that will be put up and who will have a key. No other comments were received from the public.

It was moved by VanWeelden seconded by Vander Molen to close public hearing. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to approve the following resolutions reclassifying part of Resolve Ave and part of 300 St. as an Area Service "C" road. All present voted aye. Motion carried.

**Resolution # 2015-12-45**  
Area Service "C" Roads

WHEREAS: Mahaska County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS: the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57 (2015); and

WHEREAS: the County proposes to reclassify a section of Mahaska County Secondary Roads as an Area Service "C", described as follows:

A road 40 feet in width known as Resolve Ave., beginning near the SE corner of the NW ¼ of the NW ¼ of section 13-T75N-R15W; thence northerly approximately 3,960 feet to the NE corner of the NW ¼ of the SW ¼ of section 12-T75N-R15W.

1. Blading: Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal: Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis.
3. Bridges: Bridges on Area Service "C" roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. Weeds, Brush and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular basis.
5. Structures: Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.
6. Road Surfacing: There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders: Shoulder will not be maintained.
8. Crown: A crown will not be maintained.
9. Repairs: There will be no road repairs on a regular basis.
10. Uniform Width: Uniform width for the traveled portion of the road will not be maintained.
11. Inspections: Regular inspections will not be conducted.

12. Gate: The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate; and WHEREAS, the only persons who will have access rights to the road shall be:
- a. The owner, lessee, or person in lawful possession of any adjoining land,
  - b. The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
  - c. Any peace officer,
  - d. Any magistrate,
  - e. Any public employee whose duty it is to supervise the use or perform maintenance of the road,
  - f. Any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MAHASKA COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Enacted this 7<sup>th</sup> day of December, 2015.

**Resolution # 2015-12-46**  
Area Service "C" Roads

WHEREAS: Mahaska County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS: the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57 (2015); and

WHEREAS: the County proposes to reclassify a section of Mahaska County Secondary Roads as an Area Service "C", described as follows:

A road 66 feet in width beginning near a point approximately 894.64 feet east of the NW ¼ corner of section 18-T74N-R17W; thence easterly approximately 3,065 feet to the NW corner of the NE ¼ of the NE ¼ of section 18-T74N-R17W.

1. Blading: Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal: Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis.
3. Bridges: Bridges on Area Service "C" roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. Weeds, Brush and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular basis.
5. Structures: Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.
6. Road Surfacing: There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders: Shoulder will not be maintained.
8. Crown: A crown will not be maintained.
9. Repairs: There will be no road repairs on a regular basis.

10. Uniform Width: Uniform width for the traveled portion of the road will not be maintained.

11. Inspections: Regular inspections will not be conducted.

12. Gate: The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate; and

WHEREAS, the only persons who will have access rights to the road shall be:

- a. The owner, lessee, or person in lawful possession of any adjoining land,
- b. The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- c. Any peace officer,
- d. Any magistrate,
- e. Any public employee whose duty it is to supervise the use or perform maintenance of the road,
- f. Any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MAHASKA COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Enacted this 7<sup>th</sup> day of December, 2015.

Rural commercial building has been built but does not comply with county setback ordinance nor permits applied for. It was moved by VanWeelden to grant variance to Scott Shaw. Motion died for lack of second. It was moved by Vander Molen seconded by Doland to give a 90 stay to allow owner to come into compliance. Ayes ó Doland, Vander Molen. Nays ó VanWeelden. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to approve contract with Iowa DOT NHSX-092-7(48)-3H-62. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve Request for Public Safety Radio System Analysis Proposal as presented by EMA director Jamey Robinson. All present voted aye. Motion carried. Notice will be published.

Veteran's Affairs Commissioners will be seeking to fill the position of a fulltime director/administrator. Pay for the position and timing of the advertisement were discussed with members of the commission.

Supervisor VanWeelden reported from the recent Mahaska County Recreation/Early Childhood Center committee meeting. Group would like to see the LOST length at 20 years and a commitment of dollars from the county for the project. City of Oskaloosa would own the building. The board heard comments regarding project needs for the proposed Center and for secondary roads in the county from Dave Shanahan, County Engineer; Mike Schrock, Oskaloosa City Manager; Beth Danowsky, MCDG; and Steve Wanders.

A legal description of Residential Care Facility property and farm will need to be obtained to move forward with sale of property.

Public comments: Mike Schrock spoke to the board about a request from the city council to assist with a property abatement just outside the city limits.

It was moved by Vander Molen seconded by VanWeelden to adjourn. All present voted aye. Motion carried.

Attest: \_\_\_\_\_  
Susan L. Brown  
Mahaska County Auditor

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Mark Doland  
Mahaska County Board of Supervisors